

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1 – 135 are pending in the application. New claims 122-135 are sought to be added. These changes are believed to introduce no new matter, and their entry is respectfully requested.

In the Office Action dated April 10, 2007, claims 108-117 are objected to due to misnumbering. Claims 43-54 and 73 stand rejected under 35 U.S.C. § 101 due to an improper preamble. Claims 1-33, 55-72 and 74-97 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Green, U.S. Patent No. 5,926,133. Claims 34-42 and 98-107 are allowed.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Telephone Interview with the Examiner of August 14, 2007

Applicants' representative thanks the Examiner for the courtesies extended during the telephone interview of August 14, 2007. The claims have been amended as discussed during the interview, and Applicants believe that, in view of the amendments, and the arguments below, the claims are now in condition for allowance.

Allowed Claims 34-42 and 98-107

Applicants thank the Examiner for indicating the allowability of these claims. As discussed during the telephone interview, Applicants also believe that claims 108, 109, 110 and

111 (which did not have a misnumbering problem, and which were not rejected based on prior art) are also allowable without further substantive amendments.

Claims 112-121

Claims 112-121 (after renumbering) were objected to due to misnumbering. Applicants have renumbered the claims, and corrected the dependencies. Applicants believe that, since these claims were not rejected based on any prior art, these claims are now in condition for allowance.

Amendments to Address Typographical Errors and Stylistic Issues

A number of claims have been amended to address various typographical errors, antecedent basis problems, minor informalities and other stylistic issues in the claims. For example, claims 2-16, as well as many others, has been amended to make the claims somewhat more readable. Entry of these amendments is respectfully requested.

Rejections under 35 U.S.C. § 101

A number of claims stand rejected under 35 U.S.C. § 101 due to an improper preamble. As discussed during the interview, Applicants have amended claims 43, 44, 45, 46 and 73 to comply with current USPTO guidelines regarding computer-implemented inventions. The claims have been rewritten in the format of a computer usable recording medium in the preamble, and computer program code means for [performing an action] in the body of the claims, which is the currently accepted format for such claims. Support for the language of the amendment may be found, for example, in originally filed claim 43, as well as in paragraphs 0012, 0014, 0083, 0135 and 0145, which variously discuss the use of a computer, computer

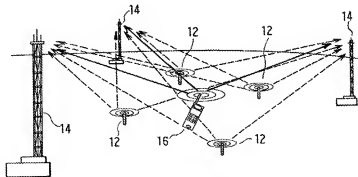
usable medium, and software, in order to implement the present invention. Reconsideration and withdrawal of the 35 U.S.C. § 101 rejections is therefore respectfully requested.

Claims 47-54 stands rejected on the same grounds as claims 43-46 and 73, i.e., due to an improper preamble. As discussed during the telephone interview, Applicants believe that this is a typographical error in the Office Action, since claim 47 and its dependent claims are directed not to a computer-implemented invention per se, but to a device. Since the only ground for rejection for claims 47-54 is 35 U.S.C. § 101, Applicants respectfully submit that these claims are in condition for allowance without further substantive amendments.

Rejections under 35 U.S.C. § 102

A number of claims stand rejected under 35 U.S.C. § 102(b) based on Green, U.S. Patent No. 5,926,133. Applicants respectfully traverse these rejections. As discussed during the telephone interview, Green is a fairly conventional system that relies on a fixed infrastructure, which is illustrated in FIG. 4, reproduced below, as well as on a fixed network of transponders (designated 12 in FIG. 4):

FIG. 4



The target 16, in FIG. 4 of Green, can be clearly seen as not having a transponder, which, as noted earlier, is part of a fixed infrastructure. The passage in Green cited in the Office Action also unambiguously discusses transponders 12 that are part of a fixed infrastructure, not disposed on the target 16. Thus, claims 1 and 55, which recite that a transponder is disposed on the target, are allowable over Green at least for this reason.

Additionally, Applicants have amended claims 1 and 55 to explicitly recite that the virtual triangulation does not require a fixed infrastructure. Green, self-evidently, requires a fixed infrastructure to determine location of a target. Thus, Applicants respectfully submit that, given the additional clarification regarding the nature of virtual triangulation used to locate a target, the amended claims are allowable over Green for this additional reason as well. Reconsideration is therefore respectfully requested.

Replacement of “Said” with “The” in the Claims

Applicants would prefer to replace “said” with the more modern usage of “the” for antecedent basis, in all the claims. However, given the relatively large number claims, Applicants are concerned that doing so in this response would make the claims cumbersome to read, and, given the large number of such amendments, difficult for the Publications Branch to process.

Applicants’ representative therefore respectfully requests that, once the Examiner determines that the claims are in condition for allowance, the Examiner contact the undersigned by telephone, and the undersigned will email or fax to the Examiner a “clean” copy of the claims, where all the “said” are replaced with “the”.

New Claims

New claims 122 - 135 are added, to provide additional coverage for the present invention. Support for the new claims may be found, for example, in the discussion of various embodiments of virtual triangulation, starting at paragraph 0179 - 0252 (see, e.g., discussion regarding Techniques 1, 2 and 3 - I (A), I (B), I (C), I (D), II(A), II(B), II(C), II(D), III), and in originally filed claims 80-81.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,
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